



Zoning Administrator Hearing

Minutes

Mizner Conference Room
Mesa City Plaza Building, Suite 130
20 East Main Street
Mesa, Arizona, 85201

John S. Gendron
Hearing Officer

DATE November 6, 2007 **TIME** 1:30 P.M.

Staff Present

Jeff McVay
Jim Hash
Constance Bachman

Others Present

Curtis Krausman
J'Erin Justice
Reese Anderson

CASES

Case No.: ZA07-109

Location: 2605 South Signal Butte Road

Subject: Requesting variances to allow: 1) a reduction in landscape plantings, and 2) allow phased perimeter landscaping in conjunction with the development of a church in the AG zoning district.

Decision: Continued to the November 27, 2007 hearing.

Summary: N/A

Findings: N/A

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- Case No.: ZA07-117
- Location: 1930 E Fountain Street
- Subject: Requesting a variance to allow an attached garage addition to encroach into the required side yard in the R1-9 zoning district.
- Decision: Approved with the following conditions.
1. Compliance with the site plan submitted.
2. Compliance with all requirements of the Building Safety Division with regard to the issuance of building permits.
- Summary: Reese Anderson represented the variance request, noting that the request is minimal in nature and not a self-imposed hardship. He present a map highlighting the properties that have provided letters of support. Mr. Gendron discussed the request with the applicant and staff. Discussion included the use of the garage, the justification provided by the applicant, cost involved, and construction standards. Mr. McVay provided a staff report and recommendation. Mr. Gendron agreed that the request is relatively small in nature, setbacks in total exceed the minimum requirement, will prevent functional obsolescence, and would be compatible with and not detrimental to surrounding development.
- Findings:
- The variance to current Code requirements related to side setbacks allows construction of an attached garage in the R1-9 zoning district. Primary justification for the variance relates to the lack of a garage or carport for the residence. Due to illness, an existing garage was enclosed for living and rehabilitation area. Since that time, vehicles have been parked uncovered on a concrete slab.
 - Current Code requires a minimum side yard of seven feet and total side yards of 17 feet. The variance allows a minimum side yard of five feet and total side yards of 15 feet. The two-foot encroachment allows the construction of a 20-foot wide garage. Such garage width is reasonable and standard with new construction. The garage addition would be constructed at the same height and to match the existing residence.
 - The residence does not currently have a carport or garage as provided in standard residential construction. Additionally, should the applicant construct a garage that complies with setback requirements in the same location, the size of the garage would be reduced to a size that would not allow the parking of two vehicles.
 - The applicant has provided letters supporting the requested variance from adjacent property. Of particular note, the property owner most affected (1918 E. Fountain) has provided a letter of support.

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- Case No.: ZA07-118
- Location: 8865 E Baseline Road, Lot 1515
- Subject: Requesting Minor modification of a PAD to allow a reduced front setback in the R-4-PAD-DMP zoning district.
- Decision: Approved with the following conditions.
 1. *Compliance with the site plan submitted.*
 2. *The modification is limited to this space only.*
 3. *Compliance with all requirements of the Building Safety Division with regard to the issuance of building permits.*
- Summary: J'Erin Justice represented the variance request, noting that she did not have additional information to add to the record. She did provide pictures of the existing site and proposed home models. Mr. Gendron discussed the request with the applicant and staff. Discussion included the application of the request to the entire development and the definition of development as park or subdivision. Mr. McVay provided a staff report and recommendation. Mr. Gendron agreed that the requested deviation would be consistent with the intent of the original PAD approval and would be compatible with and not detrimental to surrounding development.
- Findings:
- The minor modification of the Monte Vista Village Resort Planned Area Development (PAD) allows for the development of a vacant space within Monte Vista Village.
 - As approved through Planning and Zoning Board case Z05-47, one and two-story modular manufactured homes currently exist in the development. Single-story homes range in size from 750 square-feet to 1,500 square-feet. The two-story modular homes range in size from 1,400 square-feet to 1,500 square-feet. Home elevations were approved with the zoning case.
 - The approved elevation is consistent with existing approved elevations. The home is a single story 995 sf home. The reduction in the front setback from the required five feet approved through the existing PAD to three feet, is due to new home size and position of the utilities.
 - As the older homes are sold and removed from the development, the ownership of Monte Vista Village Resort are placing updated units on those lots that will provide a new up to date look. While these homes are consistent in façade to the existing approved elevations, the footprint of the homes have changes slightly with today's industry standards
 - A reduction in the front setback to three feet will allow an improved manufactured home product to be used while providing setbacks consistent with the intent of the approved PAD. Strict compliance with the front setback would not allow the use of newer models offered and existing throughout the development.
 - The home and front setback is commensurate with other homes in the development. The street loaded, pedestrian friendly environment encourages homes set close to the front of the lot and would not be inconsistent with current character of the surrounding lots.

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- Case No.: ZA07-119
- Location: 8865 E Baseline Road, Lot 1523
- Subject: Requesting Minor modification of a PAD to allow a reduced front setback in the R-4-PAD-DMP zoning district.
- Decision: Approved with the following conditions.
 1. *Compliance with the site plan submitted.*
 2. *The modification is limited to this space only.*
 3. *Compliance with all requirements of the Building Safety Division with regard to the issuance of building permits.*
- Summary: J’Erin Justice represented the variance request, noting that she did not have additional information to add to the record. She did provide pictures of the existing site and proposed home models. Mr. Gendron discussed the request with the applicant and staff. Discussion included the application of the request to the entire development and the definition of development as park or subdivision. Mr. McVay provided a staff report and recommendation. Mr. Gendron agreed that the requested deviation would be consistent with the intent of the original PAD approval and would be compatible with and not detrimental to surrounding development.
- Findings:
- The minor modification of the Monte Vista Village Resort Planned Area Development (PAD) allows for the development of a vacant space within Monte Vista Village.
 - As approved through Planning and Zoning Board case Z05-47, one and two-story modular manufactured homes currently exist in the development. Single-story homes range in size from 750 square-feet to 1,500 square-feet. The two-story modular homes range in size from 1,400 square-feet to 1,500 square-feet. Home elevations were approved with the zoning case.
 - The approved elevation is consistent with existing approved elevations. The home is a single story 995 sf home. The reduction in the front setback from the required five feet approved through the existing PAD to three feet, is due to new home size and position of the utilities.
 - As the older homes are sold and removed from the development, the ownership of Monte Vista Village Resort are placing updated units on those lots that will provide a new up to date look. While these homes are consistent in façade to the existing approved elevations, the footprint of the homes have changes slightly with today’s industry standards
 - A reduction in the front setback to three feet will allow an improved manufactured home product to be used while providing setbacks consistent with the intent of the approved PAD. Strict compliance with the front setback would not allow the use of newer models offered and existing throughout the development.
 - The home and front setback is commensurate with other homes in the development. The street loaded, pedestrian friendly environment encourages homes set close to the front of the lot and would not be inconsistent with current character of the surrounding lots.

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Case No.: ZA07-120

Location: 2710 S Crismon Road

Subject: Requesting a variance to allow a reduction in the depth of a foundation base entry for a building in excess of 10,000 square feet, in conjunction with the construction of a daycare center and pre-school in the C-2 zoning district.

Decision: Approved with the following conditions.

1. *Compliance with the site plans submitted, except as modified by the conditions below.*
2. *Compliance with all requirements of the Design Review Board.*
3. *Compliance with all requirements of the Building Safety Division with regard to the issuance of building permits.*

Summary: Curtis Krausman represented the variance request, noting that the overall concept development had received Design Review Board approval. Mr. Gendron discussed the request with the applicant and staff. Discussion included entry plaza requirements and the reason the full 30-foot depth could not be accommodated. Mr. McVay provided a staff report and recommendation. Mr. Gendron agreed that the vehicular circulation through the site provides justification for the request, that the proposal meets and exceeds the intent of the entry plaza requirement and would be compatible with and not detrimental to surrounding development.

Findings:

- The variance allows modification of the required foundation base entry plaza and foundation base width adjacent to parking stalls for a Primrose School. Current Code requires a 30' x 30' foundation base entry plaza for buildings larger than 10,000 square feet. The site plan identifies a 24' x 63' entry plaza.
- The entry plaza provides 1,512 square feet of foundation base, where compliance with current Code requirements would provide 900 square feet. The proposal would provide sufficient area to function as an entry plaza.
- Strict Compliance with current Code requirements would deprive the applicant from developing the parcel for the use of a Primrose School. The applicant is meeting the intent of the Code requirement of providing a larger entry plaza for larger buildings while orienting the building to best accommodate the site and provide safe access to clients.
- While not justification for a variance, it is important to note that the site complies with all other Code requirements, and the alteration of the entry plaza is relatively small and would have minimal impact or detrimental effect on neighboring properties. The subject site plan is currently under review by the Design Review Board.

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There being no further business to come before the Zoning Administrator, the hearing adjourned at 02:12 p.m.

The cases for this hearing were recorded and are available upon request.

Respectfully submitted,

John Gendron
Hearing Officer

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